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Preamble

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All campuses of the State University, including the University at Buffalo, engage in periodic review of their policies to ensure they comply with current applicable case law and other legal mandates. The entire State University of New York (SUNY) system operates under the SUNY Board of Trustees mandate that,

10. "Appellate Body" means any person or persons authorized by the Director of Student Conduct

including the authority to make arrests; they are empowered to enforce these regulations and all applicable laws on University premises. Among their powers are the power to execute warrants; the power to stop, identify and interrogate individuals; and the power to issue appearance tickets.

Campus Disciplinary Action

Students referred for violations of the Student Code of Conduct are subject to disciplinary action through Student Conduct. The Director of Student Conduct will decide on the appropriate judicial body. A student may be referred to the Student-Wide Judiciary (SWJ), or to an administrative hearing. Both the SWJ and the administrative hearing officers act under the discretion of Student Conduct.

1. Student-Wide Judiciary: The SWJ is comprised of University Hearing Representatives. University Hearing Representatives are students working for Student Conduct. Students meet with Hearing Representatives to resolve a referral. If no agreement is possible, either party may refer the matter to an administrative hearing. The SWJ Rules of Procedure are available at the following website: <http://www.buffalo.edu/studentlife/life-on-campus/community/rules/violations/student-wide-judiciary.html>

Students accused of a violation of the Student Code of Conduct may choose an administrative hearing in place of the SWJ.

2. Administrative Hearing: The Director of Student Conduct (or designee) selects at least two persons in an administrative capacity at the University to provide a disciplinary hearing opportunity for a current (or former) student with pending campus disciplinary charges. The procedures for administrative hearings are available at the following website: <https://www.buffalo.edu/studentlife/life-on-campus/community/rules/violations/administrative-hearing>
3. Bill of Rights for Sexual Misconduct/Violence Against Women Act: UB is committed to ensuring that victims of sexual assault, domestic violence, dating violence and/or stalking

- D. Loss of privileges
 - i. Removal from University housing facilities.
 - ii. Loss of such privileges as may be consistent with the type of violation and the rehabilitation of the student.
- E. Campus No Contact Orders: Campus No Contact Orders restrict students from contacting certain individuals, including by first person, third person, or electronic means, and may also restrict students from certain campus locations or activities as may be appropriate. Any party to Campus No Contact Orders may request a review for modification or discontinuance.
- F. Disciplinary probation with or without the loss of designated privileges for a specific period of time. The violation of the terms of disciplinary probation or the infraction of any University rule during the period of disciplinary probation may be grounds for suspension or expulsion from the University.
- G. Temporary Suspension: Students may be temporarily suspended from the University themselves or others in the campus community. While temporarily suspended, students are not permitted to be on any campus grounds or to participate in any University functions. Students may request a review of a temporary suspension status.
- H. Suspension from the University for a specific period of time
- I.

2. **AMPLIFICATION** Use of amplification/audiovisual equipment and/or interference with any public, office, library, classroom, or University function in any of the reservation facilities without prior approval.
3. **ANIMALS** Possession or accompaniment of animals in any University building at any time. Exceptions include laboratory animals or animals needed because of a disability, and the Campus Living guidelines for pets.
4. **ARSON** Causing a fire or explosion, or unauthorized use of any potential incendiary device / equipment.
5. **ASSAULT** Slapping, kicking, shoving or otherwise striking another person.
6. **ATTEMPT** Attempting to engage in conduct which, if completed, would result in the violation of any rule applicable to the University.
7. **COMPLICITY** Aiding, helping or otherwise assisting another in violating any rule applicable to the University.
8. **COMPUTER ABUSE**
 - A. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - B. ~~Unauthorized transfer of~~ Unauthorized transfer of a file.
 - C. Use of another individual's identification and password.
 - D. Use of computing resources or systems to interfere with the work of another student, faculty member or University official.
 - E. Use of computing resources or systems and/or e-mail to send obscene or abusive messages.
 - F. Use of computing resources or systems and/or e-mail to send unsolicited or unauthorized messages with the intention of reaching as many users as possible.
 - G. Theft or abuse of computer resources or systems.
 - H. Use of computing resources or systems and/or e-mail to interfere with normal operation of the University computing system.
9. **DEMONSTRATIONS**
 - A. Participation in a campus demonstration that

11. **DISCRIMINATION** Discrimination of a person or group as prohibited by the University Discrimination and Harassment Policy, as outlined at the following website: <http://www.buffalo.edu/administrative-services/policy1/ub-policy-lib/discrimination-harassment.html>

12. **DISHONESTY**

A. Cheating, plagiarism, or other forms of academic dishonesty, as defined at the following website

19. HAZING

C. Dating Violence: Violent act committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of the

the length of the relationship, the type of relationship, and the frequency of interactions between the persons in the relationship.

D. Domestic Violence: Violent crime committed by:

- i. Current or former spouse or intimate partner.
- ii. Person sharing a child with the victim.

28. POSSESSION

A. Knowingly obtaining property, (including abandoned property), without the explicit authorization of the rightful owner.

B. Possession without

person to suffer emotional damage. This includes any action for which the purpose is to attempt to manipulate or control another person. Inappropriate actions may include, but are not limited to: phone calls, physical and/or verbal confrontations, breaking and entering (cars, apartments, lockers, etc.), vandalizing, etc.

36. SUBSTANCES

- A. Use or possession of narcotics, controlled substances, and/or related paraphernalia except as expressly permitted by law. Possession or use of marijuana on campus, including marijuana obtained pursuant to a medical prescription, is a violation of federal law and therefore is prohibited.
- B. Unlawful distribution or sale of narcotics, controlled substances, and/or related paraphernalia.

37. **THEFT** Using, taking, and/or possessing property or services that are knowingly not their own with intention to deprive owner of his/her rights.

38. **TRAFFIC** Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.

39. **TRESPASS/UNAUTHORIZED ENTRY** Knowingly entering or remaining in a building, office, residence hall room, apartment or any other University premises at any time without permission or authorization.

40. **WEAPONS** Unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises.

41. UNIVERSITY GROUNDS

- A. Use of University space and grounds by an organization or person without reservation of the space or proper authorization.
- B. Operation of bicycles, skateboards, rollerblades, or other recreational items in any University building or facility.
- C. Operation of bicycles, skateboards, rollerblades, or other recreational items in a reckless or unsafe manner on University grounds.
- D. Storage of bicycles, skateboards, rollerblades, or other recreational items within any University building or facility without appropriate authorization.
- E. Hover boards and other electronically operated skateboard/scooter devices are prohibited.

ARTICLE 4: RULES OF THE SUNY BOARD OF TRUSTEES

The rules of the SUNY Board of Trustees and the Rules for the Maintenance of Public Order can be found online at the following websites:

http://www.suny.edu/board_of_trustees/pdf/policies.pdf

condition of enrollment, students are responsible for reviewing, understanding, and abiding by publications, including email communications. Asserting a lack of knowledge of university regulations will not be accepted as a basis for an exception to these regulations.

1. Academic Dishonesty: Definitions relating to academic integrity are located at the following websites: <https://www.buffalo.edu/academic-integrity.html>. Students in professional schools should see the policy of the school. Recent academic policy updates are located at the following website: <https://www.buffalo.edu/educationalaffairs.html>.
2. Discrimination and Harassment: The University at Buffalo prohibits discrimination and harassment and requires that accommodations be provided to individuals when such status. The complete Discrimination and Harassment Policy is located online at the following website: <https://www.buffalo.edu/administrative-services/policy1/ub-policy-lib/discrimination-harassment.html>.
3. Medical Excuses: Responsibility for class attendance and for completing assignments rests primarily with the student, who assumes this responsibility by communicating directly with faculty. The Appointment Verification Policy is located at the following website: <https://www.buffalo.edu/studentlife/who-we-are/policies/excuse-note-for-missing-class-or-work-policy.html>
4. Involuntary Leave of Absence: The University at Buffalo is committed to the safety, health and well-being of the campus community. The University recognizes that students may experience situations that significantly limit their ability to function successfully or safely in their role as students. In such circumstances, students should consider requesting a leave of absence. A leave of absence permits students to take a break from the University and their studies, so that they may address the issues that led to the need for the leave and later return to the University with an enhanced opportunity to achieve their educational goals. Students will be given the option to take a voluntary leave of absence before a decision is made with respect to an involuntary leave. The Involuntary Leave of Absence policy is located at the following website: <http://www.buffalo.edu/studentlife/life-on-campus/community/rules.html>
5. Drugs, Narcotics, and Alcohol: Possession / sale without prescription / medical authorization of any narcotic, barbiturate, or other illegal or controlled substance is contrary to federal and/or state law. Any student found to be in illegal possession of drugs must be reported to the appropriate civil authorities and may also be subject to disciplinary action by the University. Information regarding Alcohol may be found in the Drug Free Schools & Communities Act section of this document. Possession or use of marijuana on campus, including marijuana obtained pursuant to a medical prescription, is a violation of federal law and therefore is prohibited.

6. Loitering and Trespassing:

- A. Under New York Penal Law, Section 240.35, subdivision 5, a person is guilty of loitering when they loiter or remains in or about a school, college or University building or grounds, not having any reason or relationship involving custody of or responsibility for a pupil or student or any specific, legitimate reason for being there, and not having written permission from any person authorized to grant the same.
- B. Under New York Penal Law, section 140.05, a person is guilty of trespassing when they knowingly enter or remain unlawfully in or upon premises.
- C. Under New York Penal Law Section 140.10 a person is guilty of criminal trespass in the third degree when they knowingly enter or remains unlawfully in a building or upon real property which is fenced or otherwise enclosed in a manner designed to exclude intruders.

7. Picketing and Assembling: The University at Buffalo has traditionally supported the right of its students, faculty and staff to peaceful protest. Always implicit is the understanding that demonstrators will not interfere with or violate the rights of others. The University (picketing, etc.) are permitted. The Picketing & Assembling Policy is located online at the following website: <https://www.buffalo.edu/studentlife/who-we-are/policies/picketing-and-assembling-policy.html>

8. Facilities:

- A. Food and Beverage: The possession of food and beverages is prohibited in any area so designated by the posting of appropriate signage. These areas may include, but are not limited to classrooms, lecture halls, laboratories, hallways, theaters, and areas within University Libraries.
- B. Advertising and Posting: Advertising and posting may be regulated in certain campus spaces designated by the posting of appropriate signage or through space-specific policy that may include, but not limited to:
 - i. Student Unions: Information about advertising at the University at Buffalo Student Unions is permissible using directives outlined in policy located at the following website: <https://www.buffalo.edu/studentlife/who-we-are/policies/advertising-policy.html>.
 - ii. Residence Halls and Apartments: Solicitation and Posting rules for campus residence halls and apartments are included in the Guide to C(a)4oo9

- A. It is a violation of New York State Law and/or University Regulations for a person to possess a rifle, shotgun, firearms, ammunition, firecrackers, or explosives in or upon the buildings or grounds of the University without appropriate written authorization from the appropriate University official. This includes roman candles or similar combustibles or explosives.
- B. No person, either singly or in concert with others, shall possess and carry, on any grounds or in any building of the University, an air gun, BB gun, paintball gun or other instrument or weapon in which the propelling force is air or carbon dioxide, knife, club, slingshot, or other thing adaptable to the purpose of a weapon, including batons, canes or similar articles, excluding only orthopedic aids, athletic equipment, and project or construction materials and tools on proof of a proper specific use or purpose on the day in question.
- C. No person hired for purposes of enforcing security, whether in lieu of or in addition to University Police officers, may have in their possession in or upon the buildings and grounds of the University any firearm or other deadly weapon without specific written authorization from the University official empowered to give such authorization.

11. Student Club and Organizations: The University at Buffalo recognizes that organized student groups are a valuable part of the student educational environment. Student

ARTICLE 7: ADMINISTRATIVE REGULATIONS

1. Violation of Law and University Discipline: University disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of this Student Code of Conduct. Proceedings under this Student Code of Conduct may be carried out prior to simultaneously with, or following civil or criminal proceedings off-campus.

When a student is charged by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of their status as a student. The University will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators.

2. Family Educational Rights and Privacy Act (FERPA): The State University of New York at Buffalo complies fully with the Family Educational Rights and Privacy Act of 1974 in its treatment of student educational records. This Act was intended to protect the privacy of educational records, to establish the right of students to inspect and review their educational records, and to provide guidelines for the correction or deletion of inaccurate or misleading data through informal and formal hearings.

This institution's policy statement for FERPA explains in detail the procedures to be followed by the institution for compliance with the provisions of the Act. A copy of the policy is available in Student Conduct, 9 Norton Hall. For further information about FERPA, please see the following websites:

<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html> and
<http://www.buffalo.edu/administrative-services/policy1/ub-policy-lib/acs a->

FOIL Appeals Officer
Office of University Counsel
SUNY Plaza Albany, NY 12246

5. Change of Address: Each student is required to keep their official permanent mailing address as well as their Buffalo-area address updated on the My UB/Hub Student Center site. Failure to adhere to this requirement is a violation of the Student Code of Conduct (Article 3). In addition, when charges are brought against any student, the judicial bodies shall use the address listed in the HUB Student Center for service of process. Service of process for disciplinary purposes shall be deemed complete when notice is mailed to a student at the address furnished to the HUB Student Center site. Changes of address can be made electronically at the following website: <https://myub.buffalo.edu/>.
6. Identification Card: student at the time of their first semester of enrollment. This is a permanent card that will serve the student as long as they are a registered student at the University.

The UB Card serves as official identification as a University at Buffalo student and entitles the owner to a wide-range of services including library privileges, admission to home athletic events, and campus cultural events, participation in student-sponsored activities, voting in student elections, access to University buildings for which the student is authorized access, and can also be used as your dining service and declining balance card, a campus cash card and as a vending machine debit card.

UB Cards are non-transferable. Cards that are used illegally or inappropriately may be subject to confiscation by a University official. Since UB Cards also carry a variety of financial services, theft or misuse of a UB Card can lead to both campus and civil charges. Students accused of lending UB Cards and using another's UB Card will be charged with a violation of the Student Code of Conduct. As the official identification of student status, the UB Card should be carried at all times. Upon request by a University official, students are required to present their University UB Card. In the case of loss of the UB Card, a student should contact the UB Card Office located in 1Capen on the North Campus, and in 1Diefendorf on the South Campus. There is a fee for the replacement of the card. A schedule of replacement charges can be found at the following website: <http://www.myubcard.com>.

7. Student Representative to the Council: Election rules and regulations, pursuant to State Education law, shall be provided to the Vice President for Student Life no later than February 1 of each year. These rules and regulations must be mutually agreed upon by the various student governments and will serve as the guide for electing the succeeding
er information is available at the following website:
<https://www.buffalo.edu/studentlife/life-on-campus/clubs-and-activities/search.host.html/content/shared/www/studentlife/units/uls/student-engagement/signature-opportunities/university-council-representative.detail.html>

8. Absence Due to Religious Beliefs: No person shall be expelled from or refused admission to an institution of higher education for the reason that they are unable, due to religious beliefs, to attend classes or participate in any examination, study, or work requirements on a particular day or days. For further details, please refer to the following website: <https://www.buffalo.edu/equity/obtaining-assistance/obtaining-accommodations/religious-accommodations.html>

Under Federal and New York State law, reasonable accommodation must be made for any student who is unable to attend a regularly scheduled class or exam because of religious observance. Students who believe they have been denied a religious accommodation should contact the Office of Equity, Diversity and Inclusion at 716-645-2266 or Student Conduct at 716-645-6154. Further information is available at the following website: <https://www.buffalo.edu/administrative-services/policy1/ub-policy-lib/religious-accommodation-expression.html>.

9. Environmental Health and Safety: Health related aspects of the environment and matters of personal and general safety are the function of the Office of Environmental Health and Safety.
 - A. Assistance is offered and concern is exercised in the areas of radiation safety, laboratory biohazards, occupational health and safety, academic programs, extracurricular activities, housing, fire drills, food service sanitation, fire protection, eye safety, insect control, accident investigation, emergency practices training programs, public assemblies and student assemblies.

<https://www.buffalo.edu/ehs> Health and Safety rules are not reposed in a sin0.00000912 0 8[senB4sir9io*nB3uecW

12. Electronic Communications: All University at Buffalo students are expected to regularly access their UB e-mail accounts and MyUB

6. Collection Policy and Fees: If there is an unpaid balance on a student account at the end

D. Campus Disciplinary Action:

for

sexual misconduct can be found at the following website:

<https://www.buffalo.edu/studentlife/life-on-campus/community/rules/violations/administrative-hearing.html>.

Further information regarding the general Good Samaritan Policy can be found at this website: <http://www.buffalo.edu/studentlife/life-on-campus/community/safety/good-samaritan-policy.html>.

F.

on race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability. Perpetrators who are students will be subject to campus disciplinary procedures where sanctions including dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, the University Police assist in addressing bias-

